

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Dkt: MOSSAKOWSKI2

In re Application of:
Gerd MOSSAKOWSKI

Serial No. 10/520,423

IA Filing Date: July 8, 2003

For: METHOD FOR TRANSMITTING ADDITIONAL DATA...

) Application Division

) **ATTN: PCT**

) Washington, D.C.

) Confirmation No. 5911

) Date: December 7, 2005

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
 Customer Service Window
 Randolph Building, Mail Stop Missing Parts
 401 Dulany Street
 Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated October 17, 2005. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title and priority information.
 [XX] An exact English language translation of the PCT application as originally filed.
 [XX] A Preliminary Amendment [XX] Fees are reduced due to elimination of claim multiple dependencies.
 [XX] A certified copy of priority document no. DE 102 31 286 9, filed July 10, 2002. Priority is claimed.
 [XX] An Information Disclosure Statement with 08A- 1449 and 12 references.
 [XX] Additional fees as calculated below:

[XX] Search fee		\$400.00
[XX] Examination fee		\$200.00
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [XX] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
0	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
20- 20 =	0	X \$ 50.00
2- 3 =	0	X \$200.00
Multiple Dependent Claims (if applicable)	+ \$360.00	\$
TOTAL OF ABOVE CALCULATIONS		\$730.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$ >
SUBTOTAL		\$730.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$130.00
TOTAL NATIONAL FEE		\$860.00

[XX] Total fees enclosed: \$ 860.00

[XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$ 860.00 is enclosed to cover the above fees.

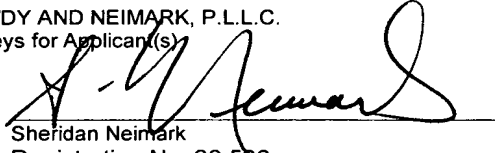
[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
 Attorneys for Applicant(s)

By:


 Sheridan Neimark
 Registration No. 20,520

SN:ses

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10 Rec'd PCT/TC 07 DEC 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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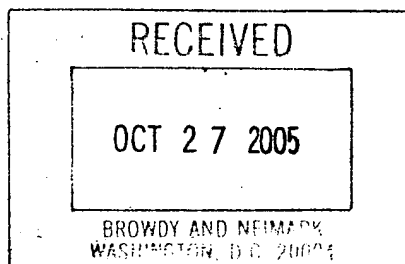
RieB.

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,423	Gerd Mossakowski	MOSSAKOWSKI 2

INTERNATIONAL APPLICATION NO.

PCT/DE03/02284

001444
 BROWDY AND NEIMARK, P.L.L.C.
 624 NINTH STREET, NW
 SUITE 300
 WASHINGTON, DC 20001-5303



I.A. FILING DATE	PRIORITY DATE
07/08/2003	07/10/2002

CONFIRMATION NO. 5911
 371 FORMALITIES LETTER



OC000000017240157

Date Mailed: 10/17/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/06/2005
- Copy of the International Search Report filed on 01/06/2005
- Oath or Declaration filed on 01/06/2005
- Request for Immediate Examination filed on 01/06/2005
- U.S. Basic National Fees filed on 01/06/2005
- Priority Documents filed on 01/06/2005

IDS / MSP = 17DE2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$730 for a Large Entity:

- **\$130 Surcharge.**

- The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,423	PCT/DE03/02284	MOSSAKOWSKI 2